

the Commission's administrative burdens and facilitate information retrieval by the general public.

F. APC opposes the proposal of the Utilities Telecommunications Council (UTC) to adopt cellular licensing procedures for PCS applicants. As noted by APC in its November 24, 1993 Reply Comments in the auction rule making (PP Docket 93-253), imposing cellular filing requirements upon PCS applicants would be inappropriate and/or in direct conflict with the Part 99 rules already adopted.

G. APC supports the changes to Section 99.234(a) proposed by Telocator. Specifically, these changes will apply PCS emission limitations within the PCS band and specify the resolution bandwidth used in determining compliance with them.

H. APC supports Telocator's proposal to conform the language of Section 99.52 to the discussion in the Second Report and Order.

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APC continues to regret the Commission's decision not to allocate at least a portion of the 38 GHz band specifically for PCS backhaul. As we feared, because of the Commission's failure in this regard, recent applications propose to consume all of the remaining 38 GHz channels in the Washington/Baltimore and other substantial markets.

Case-by-case adjudication of competing applications in the 38 GHz band in self-defined rectangular service areas is an inefficient, ineffective and delay-prone approach to the problem of congestion on these frequencies. APC urges the Commission to reconsider and adopt a partial set-aside of the 38 GHz frequencies for PCS backhaul.

Respectfully submitted,

AMERICAN PERSONAL COMMUNICATIONS

J. Barclay Jones
Vice President, Engineering
American Personal Communi-
cations
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 296-0005

Jonathan D. Blake
Kurt A. Wimmer
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Post Office Box 7566
Washington, D.C. 20044
(202) 662-6000

Its Attorneys

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§ 21.702

(f) Assignments in the band 38,600-40,000 MHz shall be according to the following frequency plan:

Channel group A		Channel group B	
Channel No.	Frequency band limits MHz	Channel No.	Frequency band limits MHz
1-A	38,600-38,650	1-B	39,300-39,350
2-A	38,650-38,700	2-B	39,350-39,400
3-A	38,700-38,750	3-B	39,400-39,450
4-A	38,750-38,800	4-B	39,450-39,500
5-A	38,800-38,850	5-B	39,500-39,550
6-A	38,850-38,900	6-B	39,550-39,600
7-A	38,900-38,950	7-B	39,600-39,650
8-A	38,950-39,000	8-B	39,650-39,700
9-A	39,000-39,050	9-B	39,700-39,750
10-A	39,050-39,100	10-B	39,750-39,800
11-A	39,100-39,150	11-B	39,800-39,850
12-A	39,150-39,200	12-B	39,850-39,900
13-A	39,200-39,250	13-B	39,900-39,950
14-A	39,250-39,300	14-B	39,950-40,000

These channels are assigned for use within a rectangular service area to be described in the application by the maximum and minimum latitudes and longitudes. Such service area shall be as small as practicable consistent with the local service requirements of the carrier. These frequency plans may be subdivided as desired by the licensee and used within the service area as desired without further authorization subject to the terms and conditions set forth in § 21.711. These frequencies shall be assigned only where it is shown that the applicant will have a reasonable projected requirement for a multiplicity of service points or transmission paths within the area.

§ 21.711 Special requirements for operation in the band 38,600-40,000 MHz.

Assigned frequency channels in the band 38,600-40,000 MHz may be subdivided and used anywhere in the authorized service area, subject to the following terms and conditions:

(a) No interference shall be caused to a previously existing station operating in another authorized service area.

(b) Each operating station shall have posted a copy of the service area authorization.

(c) Twice each year, no later than January 31 and July 31, the Commission shall be provided a complete list (in tabular form) of all operations in each authorized service area (listing information as contained in the notices) current as of the previous January 1 or July 1. If no change has occurred since the previous list was filed, a statement to that effect will be sufficient.

(d) The antenna structure height employed at any location shall not exceed the criteria set forth in § 17.7 of this chapter unless, in each instance, authorization for use of a specific maximum antenna structure for each location has been obtained from the Commission prior to the erection of the antenna.